
Select Committee on Puget Sound

HB 1728

Brief Description: Promoting a coordinated shellfish aquaculture regulatory process.

Sponsors: Representatives Eickmeyer, Blake, Strow, Haigh, Walsh, Kessler, Grant, Linville, Takko, McCoy, Darneille, Williams, Quall, Sump, Pearson and P. Sullivan.

Brief Summary of Bill

- Creates the Shellfish Aquaculture Regulatory Efficiency Committee to provide advice as to how the current environmental standards and regulations for aquaculture issued by state and local government can be reformed into a more efficient and consistent regulatory process.
- Creates the position of Aquaculture Coordinator within the Department of Agriculture.
- Directs the Sea Grant program at the University of Washington to review existing research on the potential effects of geoduck aquaculture on the environment.

Hearing Date: 2/2/07

Staff: Jason Callahan (786-7117).

Background:

The Department of Agriculture (WSDA) has the authority to adopt rules establishing identification requirements for private sector cultured aquatic products, which generally includes shellfish aquaculture products. These rules are limited to the transportation, sale, processing, and other possession of private sector cultured aquatic products.

The Department of Fish and Wildlife (WDFW) and WSDA are required to jointly adopt a program to protect the aquaculture industry and wildstock fisheries from a loss of productivity due to aquatic diseases or maladies.

All aquatic farms are required to be registered with the WDFW prior to commencing activities. The registration application must include, among other things, information concerning the species

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of shellfish to be cultivated, the culture methods to be used, and documentation of ownership or right of possession.

Under the Shorelines Management Act, certain developments that occur on or near the shorelines of the state are required to be permitted. Permitting for most development is administered at the county level, with standards and requirements outlined in the county's master program. Each county with shorelines within its jurisdiction adopts its own master program, which is a comprehensive use plan for the area. Once a master program is approved by the Department of Ecology, the county is the entity responsible for final approval of all programs falling within the plan's scope. Some aquaculture operations have been found to trigger the requirements for a permit under the Shoreline Management Act.

Summary of Bill:

Shellfish Aquaculture Regulatory Efficiency Committee

The Shellfish Aquaculture Regulatory Efficiency Committee (Committee) is created to provide advice as to how the current environmental standards and regulations for aquaculture issued by state and local government can be reformed into a more efficient and consistent regulatory process. This process must include the identification of existing environmental standards, the application of those standards, and the development of an integrated approach based on the existing standards and the best management practices for shellfish aquaculture activities.

The Committee is composed of nine members representing various entities. The Committee members are required to come from such entities as state government, tribal government, and the shellfish industry.

The Committee must be convened by the Department of Ecology, and the final report must be submitted to the Legislature by no later than December 1, 2008.

Aquaculture Coordinator

The position of Aquaculture Coordinator (Coordinator) is created within the WSDA. The Coordinator is tasked with participation in the development of an integrated regulatory system for aquaculture, providing technical assistance to aquatic farmers regarding regulation compliance, serving as an information clearinghouse, coordinating development projects to investigate biological and technical issues, and undertaking other actions necessary to develop the state's aquaculture industry.

Research mandate

The Sea Grant program at the University of Washington (Sea Grant) is directed to review existing research on the potential effects of geoduck aquaculture on the environment. A list of required study elements is provided to the Sea Grant program, which includes studies about the structure used in geoduck aquaculture, the effects of harvesting techniques, how aquaculture impacts natural ecological characteristics, and research into the genetic interactions between farm-raised and naturally occurring geoduck.

If the literature review conducted by the Sea Grant identifies knowledge gaps in the known science, then the Sea Grant is directed to contract with scientific organizations to complete the necessary studies.

The Shellfish Aquaculture Research Account (Account) is created to fund the required research.

The final report of the research must be delivered to the Legislature by December 1, 2013. However, the Sea Grant is directed to prioritize the studies and report the results of studies conducted on shorter timelines prior to 2013.

Appropriation: None.

Fiscal Note: Requested on January 25, 2007.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.